UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. NO. 03-12216MLW

EASTERN CONTRACTORS, INC.,
 	
       Plaintiff,
 	
v.
 	
CITY OF WORCESTER and THOMAS R. HOOVER, City Manager, and, HEERY INTERNATIONAL, INC. and THOMAS E. ELLIS, JR.
 	
       Defendants.
	ASSENTED-TO MOTION TO EXTEND TIME TO FILE OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AND FOR ENTRY OF SEPARATE AND FINAL JUDGMENT

Now comes the Plaintiff, Eastern Contractors, Inc., (hereinafter "Eastern"), and hereby moves for an extension of time to October 29, 2004 for Eastern to file an opposition to Defendant's, Heery International, Inc., and Thomas E. Ellis, Jr. (collectively "Heery"), Motion for Summary Judgment and for Entry of Separate and Final Judgment. As grounds for this motion, Eastern submits that its counsel have matters pending making them unable to respond to said motion within the applicable timeframe. Eastern further states that no party will be unfairly prejudiced by the allowance of this motion. Finally, counsel for Heery, Warren D. Hutchison, Esq., has indicated his assent to the motion.

WHEREFORE, the Plaintiff, Eastern Contractors, Inc., respectfully requests that the Court grant this Motion to Extend Time to File Opposition to Defendant's Motion for Summary Judgment and for Entry of Separate and Final Judgment.

EASTERN CONTRACTORS, INC.,

By its attorneys,

//s//
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AND,

ASSENTED TO:
HEERY INTERNATIONAL, INC. and
THOMAS E. ELLIS, JR.

By their attorneys,

//s//
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CITY OF WORCESTER,

By its attorney,

//s//

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